

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)	CASE NO.
ELECTRIC COMPANY FOR AN ADJUSTMENT)	2014-00372
OF ITS ELECTRIC AND GAS RATES)	

ORDER

On December 9, 2014, the Kentucky Cable Telecommunications Association (“Petitioner” or “KCTA”) filed a motion requesting full intervention in this case. Petitioner describes itself as a non-profit organization consisting of cable operators serving the majority of cable customers throughout Kentucky.¹ Petitioner avers that several of its members attach their facilities to Louisville Gas and Electric Company’s (“LG&E”) utility poles, and that these members are directly affected by the portion of LG&E’s rate adjustment application regarding pole attachment rates.² Petitioner points out that it has been granted intervention in prior rate and pole attachment cases. Lastly, Petitioner asserts that its intervention will promote administrative economy and pledges to adhere to all Commission rules and procedures applicable to it as a party intervener.³ For these reasons, Petitioner contends that it meets the standards for intervention in this matter.

On December 16, 2014, LG&E submitted its response to Petitioner’s motion. LG&E states it does not oppose Petitioner’s request to intervene to the extent that

¹ KCTA Motion to Intervene at 1.

² *Id.*

³ *Id.* at 2.

Petitioner seeks to examine the reasonableness of LG&E's proposed pole attachment fees. Nonetheless, LG&E asked that Petitioner be required to identify its members who are LG&E customers and which of those members have authorized Petitioner to seek intervention on their behalf in the instant matter in order to ensure that Petitioner has standing to intervene in this matter.⁴ Additionally, LG&E informs that it, along with its sister company, Kentucky Utilities Company ("KU"), will file a motion to dismiss Case No. 2014-00025, a separate and unrelated case involving a complaint by KCTA challenging the reasonableness of LG&E's and KU's present pole attachment charge, in the event Petitioner is granted intervention in the instant matter.⁵

Petitioner filed a reply in support of its motion to intervene on December 22, 2014. In its reply, Petitioner states that it is seeking intervention on behalf of Time Warner Cable, which has attachments to LG&E's poles. KCTA also states that it will file a timely response to LG&E's motion to dismiss in Case No. 2014-00025 in the complaint proceeding.⁶

Having reviewed the pleadings and being otherwise sufficiently advised, the Commission finds that KCTA's intervention is likely to present issues and develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings. The Commission further finds that Petitioner should be granted full rights of a party in this proceeding. Lastly, we note that the motion to

⁴ LG&E's Response to KCTA's Motion to Intervene at 1-2.

⁵ *Id.* at 2; Case No. 2014-00025, *Kentucky Cable Telecommunications Association v. Louisville Gas and Electric Company and Kentucky Utilities Company* (Ky. PSC filed Jan. 24, 2014).

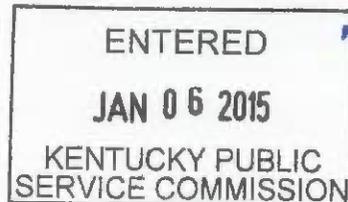
⁶ KCTA's Reply in Support of Its Motion to Intervene at 1.

dismiss filed by LG&E and KU in Case No. 2014-00025 will be adjudicated in that proceeding and not in the instant matter.

IT IS HEREBY ORDERED that:

1. KCTA's motion to intervene is granted.
2. KCTA shall be entitled to the full rights of a party and shall be served with the Commission's Orders after the date of this Order.
3. KCTA shall comply with all provisions of 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.
4. KCTA shall adhere to the procedural schedule set forth in the Commission's December 12, 2014 Order and as amended by subsequent Orders.

By the Commission



ATTEST:



Executive Director

Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

Angela M Goad
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204

Eileen Ordover
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202

David Brown
Stites & Harbison, PLLC
1800 Providian Center
400 West Market Street
Louisville, KENTUCKY 40202

Honorable Lindsey W Ingram, III
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

Honorable Kendrick R Riggs
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

Robert Conroy
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

Honorable Lisa Kilkelly
Attorney at Law
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202

Ed Staton
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

Larry Cook
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204

Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

Honorable Allyson K Sturgeon
Senior Corporate Attorney
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

Honorable W. Duncan Crosby III
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

Jody M Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

Janice Theriot
Zielke Law Firm PLLC
1250 Meidinger Tower
462 South Fourth Avenue
Louisville, KENTUCKY 40202

Gregory T Dutton
Assistant Attorney General
Office of the Attorney General Utility & Rate
1024 Capital Center Drive
Suite 200
Frankfort, KENTUCKY 40601-8204

Amanda M Lanham
Sheppard Mullin Richter & Hampton LLP
1300 I Street NW
11th Floor East
Washington, DISTRICT OF COLUMBIA 20005

Honorable Robert M Watt, III
Attorney At Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

Gardner F Gillespie
Sheppard Mullin Richter & Hampton LLP
1300 I Street NW
11th Floor East
Washington, DISTRICT OF COLUMBIA 20005

Rick E Lovekamp
Manager - Regulatory Affairs
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202